

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RAY L. ALEXANDER,

Plaintiff,

v.

CLEMENT N. NDEGWA,

Defendant.

)
)
)
)
)
)
)
)
)
)

No. 4:23-cv-01307-CDP

MEMORANDUM AND ORDER

This matter is before the Court on review of the file. On October 18, 2023 and November 8, 2023, the Court issued Orders requiring Plaintiff to either pay the \$402 filing fee or file an application to proceed in the district court without prepaying fees and costs. The Court stated that Plaintiff's "affidavit for lack of lawful monies and request to proceed without prepaying fees or costs and advancement of docket" was not sufficient to meet the requirements of 28 U.S.C. § 1915(a)(1). *See* ECF No. 5. Twice, the Court has sent Plaintiff its form application to proceed in the district court without prepaying fees and costs, but Plaintiff has not paid the filing fee or filed the form. The time for doing so has passed.

Because Plaintiff has not paid the filing fee or filed the application in accordance with the Court's Orders dated October 18, 2023 and November 8, 2023, the Court will dismiss this case without prejudice. Fed. R. Civ. P. 41(b).

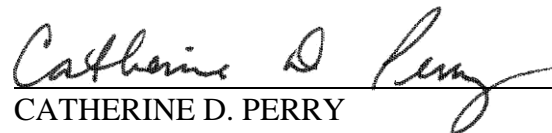
Accordingly,

IT IS HEREBY ORDERED that Plaintiff's "affidavit for lack of lawful monies and request to proceed without prepaying fees or costs and advancement of docket" is **DENIED** for failure to meet the requirements of 28 U.S.C. § 1915(a)(1). [ECF No. 4]

IT IS HEREBY ORDERED that this action is **DISMISSED** without prejudice.

An Order of Dismissal will accompany this Memorandum and Order.

Dated this 6th day of December, 2023.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE